

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re: § Case No. 19-34054-sgj11

HIGHLAND CAPITAL MANAGEMENT, §  
L.P., § Chapter 11

Debtor §

---

OFFICIAL COMMITTEE OF §  
UNSECURED CREDITORS, §  
Plaintiff, § Adversary No. 20-03195

vs. §

CLO HOLDCO, LTD., CHARITABLE DAF §  
HOLDCO, LTD., CHARITABLE DAF §  
FUND, LP, HIGHLAND DALLAS §  
FOUNDATION, INC., THE DUGABOY §  
INVESTMENT TRUST, GRANT JAMES §  
SCOTT III IN HIS INDIVIDUAL §  
CAPACITY, AS TRUSTEE OF THE §  
DUGABOY INVESTMENT TRUST, AND §  
AS TRUSTEE OF THE GET GOOD §  
NONEXEMPT TRUST, AND JAMES D. §  
DONDERO, §

Defendants. §

---

**NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE**

---

**PLEASE TAKE NOTICE** that Marc S. Kirschner, as Litigation Trustee of the Litigation Sub-Trust established pursuant to the *Fifth Amended Plan of Reorganization of Highland Capital Management L.P.* [Bankruptcy Case, Dkt. No. 1472] (the “Plan”), which is substituted as plaintiff pursuant to the Plan, hereby gives notice that, pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, made applicable to this action by Rule 7041 of the Federal Rules of Bankruptcy

Procedure, the above-captioned adversary action is voluntarily dismissed in its entirety, without prejudice, against all Defendants and without the need for a Court order.

**PLEASE TAKE FURTHER NOTICE** that, as of the date hereof, none of the Defendants have filed or served an answer or a motion for summary judgment.

Dated: October 15, 2021

**SIDLEY AUSTIN LLP**

/s/ Juliana L. Hoffman  
Paige Holden Montgomery  
Penny P. Reid  
Juliana L. Hoffman  
2021 McKinney Avenue  
Suite 2000  
Dallas, Texas 75201  
Telephone: (214) 981-3300  
Facsimile: (214) 981-3400

-and-

Matthew A. Clemente (admitted *pro hac vice*)  
Dennis M. Twomey (admitted *pro hac vice*)  
Alyssa Russell (admitted *pro hac vice*)  
One South Dearborn Street  
Chicago, Illinois 60603  
Telephone: (312) 853-7000  
Facsimile: (312) 853-7036

-and-

**QUINN EMANUEL URQUHART & SULLIVAN, LLP**  
Susheel Kirpalani  
Robert Loigman  
Benjamin I. Finestone  
Deborah J. Newman  
Jordan Harap  
Alexandre Tschumi  
51 Madison Avenue, Floor 22  
New York, NY 10010  
Telephone: (212) 849-7000

*Counsel for Marc S. Kirschner, as Litigation  
Trustee of the Highland Capital  
Management, L.P. Litigation Sub-Trust*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was sent via electronic mail via the Court's ECF system to all parties authorized to receive electronic notice in this case on October 15, 2021.

/s/ *Juliana L. Hoffman*  
Juliana L. Hoffman